

Section  
#3

I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on January 9, 2001.

Michelle M. Scordato

Name

Signature

January 9, 2001

Date of Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Boerner, et al

Serial No.: 09/676,296

Filed: September 28, 2000

For: Device and Method of Determining Emotive Index  
Corresponding to a Message

RESPONSE

Assistant Commissioner for Patents  
Attention: Box Missing Parts  
Washington, D.C. 20231

Sir:

Responsive to the Notice To File Missing Parts Of Nonprovisional Application dated November 9, 2000 (copy enclosed), herewith is an executed Oath and Declaration from each of the inventors. Enclosed is payment of the \$65 surcharge. If underpayment or overpayment has been made, please charge to Deposit Account No. 08-2442.

Respectfully submitted,

Hodgson Russ, ANDREWS,  
WOODS & GOODYEAR LLP

By R. Kent Roberts

R. Kent Roberts, Reg. No. 40,786

One M&T Plaza, Suite 2000  
Buffalo, New York 14203-2391  
(716) 848-1510  
Date: January 9, 2001



## UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/676,296         | 09/28/2000          | Peer Boerner          | 32156.0005             |

R Kent Roberts  
Hodgson Russ Andrews Woods & Goodyear LLP  
Suite 2000  
One M&T Plaza  
Buffalo, NY 14203-2391

## FORMALITIES LETTER



\*OC000000005545477\*

Date Mailed: 11/09/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

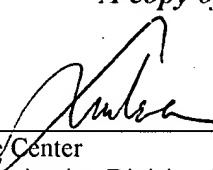
FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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KZENDIE  
01 FEB 2005